
AGENCY OVERVIEW**180 Judicial Branch**

Date: 12/23/2014**Time:** 11:56:20**Statutory Authority**

ND Constitution, Article 6, Judicial Branch, Sections 1-13, Chapters 27-02, 27-03, 27-04, 27-05, 27-05.2, 27-06, 27-17, 27-20, 27-23, North Dakota Century Code; North Dakota Rules of Disciplinary Procedure.

Agency Description

The North Dakota judicial system is comprised of the Supreme Court, district courts, municipal courts and the intermediate court of appeals, when convened. The juvenile court is a division of the district court. These courts provide the forum for the resolution of litigation in an orderly, timely manner.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities--adjudicative and administrative. It is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. The Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary. In its administrative capacity, the Court is responsible for ensuring the efficient and effective operation of all courts in the state, maintaining high standards of judicial conduct, supervising the legal profession and promulgating procedural rules.

District Courts are the state trials courts of general jurisdiction. Among the types of cases they hear are civil, criminal, domestic relations, small claims, and probate. District Courts also serve as the Juvenile Courts in the state with original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. In some districts, judicial referees have been appointed to preside over juvenile judgment enforcement and domestic relations proceedings, other than contested divorces. District Courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies for criminal convictions in Municipal Courts. There are 47 District Court Judges in North Dakota.

Agency Mission Statement

The mission of the North Dakota judicial system is to provide the people, through an independent judiciary, equal access to fair and timely resolution of disputes under law.

Agency Performance Measures

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards.
- Jury yield and juror utilization statistics.
- Staffing standards.
- Fully Automated Child Support Enforcement System (FACSES) action alerts.
- Case data entry time standards.

Major Accomplishments

1. Mandated use of electronic filing.
2. Provided web-based access to court records.
3. Implemented rules to expedite appeals of termination of parental rights cases.
4. Revised the rules of criminal procedure.
5. Mandated greater use of alternative dispute resolution processes in district court.
6. Implemented mediation process in Supreme Court.
7. Collected fines/fees through state tax intercept.
8. Implemented self-help center for litigants.
9. Implemented ethics training for interpreters.
10. Expanded interactive television.
11. Expanded digital audio recording.
12. Implemented interactive phone payment system.

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13. Implemented paper on demand filing system.

14. Implemented web payment system.

Future Critical Issues for delivering judicial services given the changing demographics of the state.

- Utilizing technology to deliver judicial services more efficiently.

REQUEST SUMMARY

180 Judicial Branch
Biennium: 2015-2017

Bill#: HB1002

Date: 12/23/2014

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
By Major Program					
Supreme Court	11,244,695	13,297,519	2,190,689	15,488,208	0
District Court	70,732,194	86,163,189	12,373,359	98,536,548	0
Judicial Cond Comm and Disc. Board	852,348	1,020,874	61,922	1,082,796	0
Total Major Program	82,829,237	100,481,582	14,625,970	115,107,552	0
By Line Item					
Salaries and Wages	61,924,187	71,029,173	9,799,010	80,828,183	0
Accrued Leave	0	2,930,973	(2,930,973)	0	0
Operating Expenses	17,369,197	23,926,583	3,871,445	27,798,028	0
Capital Assets	967,966	848,026	3,621,201	4,469,227	0
District Court- Judges Retirement	470,516	500,936	(26,169)	474,767	0
Judicial Conduct Comm & Disciplinary Brd	852,348	1,020,874	61,922	1,082,796	0
Supreme Court- Judges Retirement	85,768	75,017	6,916	81,933	0
Mediation	1,079,255	0	0	0	0
Und-Grant	80,000	80,000	0	80,000	0
Guardianship Monitoring Program	0	70,000	222,618	292,618	0
Total Line Items	82,829,237	100,481,582	14,625,970	115,107,552	0
By Funding Source					
General Fund	81,011,928	98,305,992	14,437,993	112,743,985	0
Federal Funds	1,505,739	1,808,091	110,820	1,918,911	0
Special Funds	311,570	367,499	77,157	444,656	0
Total Funding Source	82,829,237	100,481,582	14,625,970	115,107,552	0
Total FTE	344.00	363.00	28.00	391.00	0.00

REQUEST DETAIL

180 Judicial Branch
Biennium: 2015-2017

Bill#: HB1002

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	44,599,990	49,330,080	7,868,764	57,198,844	0
Temporary Salaries	937,099	866,682	347,321	1,214,003	0
Overtime	24,671	10,000	(10,000)	0	0
Fringe Benefits	16,362,427	20,822,411	1,592,925	22,415,336	0
Total	61,924,187	71,029,173	9,799,010	80,828,183	0
Salaries and Wages					
General Fund	60,922,929	69,894,830	9,597,273	79,492,103	0
Federal Funds	1,001,258	1,134,343	201,737	1,336,080	0
Special Funds	0	0	0	0	0
Total	61,924,187	71,029,173	9,799,010	80,828,183	0
Accrued Leave					
Salaries - Permanent	0	531,696	(531,696)	0	0
Total	0	531,696	(531,696)	0	0
Accrued Leave					
General Fund	0	531,696	(531,696)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	531,696	(531,696)	0	0
Accrued Leave					
Salaries - Permanent	0	2,399,277	(2,399,277)	0	0
Total	0	2,399,277	(2,399,277)	0	0
Accrued Leave					
General Fund	0	2,399,277	(2,399,277)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	2,399,277	(2,399,277)	0	0
Operating Expenses					
Travel	1,455,604	1,823,968	222,332	2,046,300	0
Supplies - IT Software	410,265	2,181,614	1,109,738	3,291,352	0
Supply/Material-Professional	1,511,528	1,568,604	257,930	1,826,534	0
Food and Clothing	10,852	16,950	800	17,750	0
Bldg, Ground, Maintenance	882	600	(600)	0	0

REQUEST DETAIL

180 Judicial Branch
Biennium: 2015-2017

Bill#: HB1002

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Miscellaneous Supplies	143,500	204,170	42,180	246,350	0
Office Supplies	305,525	404,268	23,201	427,469	0
Postage	395,145	522,878	(22,428)	500,450	0
Printing	235,168	289,326	31,704	321,030	0
IT Equip Under \$5,000	459,238	1,005,699	103,222	1,108,921	0
Other Equip Under \$5,000	14,439	6,040	(6,040)	0	0
Office Equip & Furn Supplies	172,166	264,740	40,560	305,300	0
Insurance	55,483	37,988	3,446	41,434	0
Rentals/Leases-Equip & Other	8,687	17,150	2,400	19,550	0
Rentals/Leases - Bldg/Land	258,252	272,950	13,620	286,570	0
Repairs	187,000	226,800	25,050	251,850	0
IT - Data Processing	1,171,657	1,446,375	924,446	2,370,821	0
IT - Communications	506,581	564,069	(21,292)	542,777	0
IT Contractual Svcs and Rprs	1,582,433	1,064,262	133,713	1,197,975	0
Professional Development	500,480	773,430	16,546	789,976	0
Operating Fees and Services	7,315,827	9,546,637	868,842	10,415,479	0
Fees - Professional Services	587,208	1,599,065	76,075	1,675,140	0
Medical, Dental and Optical	81,277	89,000	26,000	115,000	0
Total	17,369,197	23,926,583	3,871,445	27,798,028	0
Operating Expenses					
General Fund	16,864,716	23,252,835	3,962,362	27,215,197	0
Federal Funds	504,481	673,748	(90,917)	582,831	0
Special Funds	0	0	0	0	0
Total	17,369,197	23,926,583	3,871,445	27,798,028	0
Capital Assets					
Extraordinary Repairs	0	0	786,577	786,577	0
Equipment Over \$5000	402,796	331,470	79,530	411,000	0
IT Equip/Sftware Over \$5000	565,170	516,556	2,755,094	3,271,650	0
Total	967,966	848,026	3,621,201	4,469,227	0
Capital Assets					
General Fund	967,966	848,026	3,621,201	4,469,227	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	967,966	848,026	3,621,201	4,469,227	0

Supreme Court- Judges Retirement

REQUEST DETAIL

180 Judicial Branch
Biennium: 2015-2017

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Salaries - Other	85,768	75,017	6,916	81,933	0
Total	85,768	75,017	6,916	81,933	0
Supreme Court- Judges Retirement					
General Fund	85,768	75,017	6,916	81,933	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	85,768	75,017	6,916	81,933	0
District Court- Judges Retirement					
Salaries - Other	470,516	500,936	(26,169)	474,767	0
Total	470,516	500,936	(26,169)	474,767	0
District Court- Judges Retirement					
General Fund	470,516	500,936	(26,169)	474,767	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	470,516	500,936	(26,169)	474,767	0
Judicial Conduct Comm & Disciplinary Brd					
Salaries - Permanent	510,239	577,093	(18,709)	558,384	0
Fringe Benefits	176,894	217,035	(10,134)	206,901	0
Travel	44,486	48,000	2,000	50,000	0
Supplies - IT Software	1,358	1,830	0	1,830	0
Supply/Material-Professional	7,696	7,000	2,000	9,000	0
Miscellaneous Supplies	811	1,500	(500)	1,000	0
Office Supplies	916	1,500	(500)	1,000	0
Postage	16,059	11,000	0	11,000	0
Printing	2,760	2,000	0	2,000	0
IT Equip Under \$5,000	4,554	5,360	(523)	4,837	0
Office Equip & Furn Supplies	3,569	1,000	19,000	20,000	0
Insurance	554	800	0	800	0
Rentals/Leases-Equip & Other	7,399	10,000	(2,500)	7,500	0
Rentals/Leases - Bldg/Land	18,396	20,000	46,500	66,500	0
Repairs	3,841	5,000	(1,000)	4,000	0
IT - Data Processing	9,771	13,732	1,512	15,244	0
IT - Communications	4,446	5,024	976	6,000	0
IT Contractual Svcs and Rprs	1,236	18,000	(9,200)	8,800	0
Professional Development	6,985	11,000	3,000	14,000	0

REQUEST DETAIL

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Operating Fees and Services	27,668	34,000	5,000	39,000	0
Fees - Professional Services	2,710	30,000	25,000	55,000	0
Total	852,348	1,020,874	61,922	1,082,796	0

Judicial Conduct Comm & Disciplinary Brd

General Fund	540,778	653,375	(15,235)	638,140	0
Federal Funds	0	0	0	0	0
Special Funds	311,570	367,499	77,157	444,656	0
Total	852,348	1,020,874	61,922	1,082,796	0

Mediation

Salaries - Permanent	136,194	0	0	0	0
Fringe Benefits	24,618	0	0	0	0
Travel	13,128	0	0	0	0
Supplies - IT Software	239	0	0	0	0
Office Supplies	29	0	0	0	0
IT Equip Under \$5,000	1,234	0	0	0	0
Insurance	135	0	0	0	0
Rentals/Leases - Bldg/Land	100	0	0	0	0
IT - Data Processing	1,047	0	0	0	0
IT - Communications	926	0	0	0	0
Professional Development	2,018	0	0	0	0
Fees - Professional Services	899,587	0	0	0	0
Total	1,079,255	0	0	0	0

Mediation

General Fund	1,079,255	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	1,079,255	0	0	0	0

Und-Grant

Grants, Benefits & Claims	80,000	80,000	0	80,000	0
Total	80,000	80,000	0	80,000	0

Und-Grant

General Fund	80,000	80,000	0	80,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0

REQUEST DETAIL

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Biennium: 2015-2017

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Total	80,000	80,000	0	80,000	0
Guardianship Monitoring Program					
Salaries - Permanent	0	0	139,584	139,584	0
Fringe Benefits	0	0	51,790	51,790	0
Travel	0	0	11,910	11,910	0
Supply/Material-Professional	0	0	1,000	1,000	0
IT Equip Under \$5,000	0	0	1,418	1,418	0
Office Equip & Furn Supplies	0	0	4,500	4,500	0
IT - Data Processing	0	0	1,416	1,416	0
Professional Development	0	0	1,000	1,000	0
Operating Fees and Services	0	0	10,000	10,000	0
Fees - Professional Services	0	70,000	0	70,000	0
Total	0	70,000	222,618	292,618	0
Guardianship Monitoring Program					
General Fund	0	70,000	222,618	292,618	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	70,000	222,618	292,618	0
Funding Sources					
General Fund	81,011,928	98,305,992	14,437,993	112,743,985	0
Federal Funds	1,505,739	1,808,091	110,820	1,918,911	0
Special Funds	311,570	367,499	77,157	444,656	0
Total Funding Sources	82,829,237	100,481,582	14,625,970	115,107,552	0

CHANGE PACKAGE SUMMARY180 Judicial Branch
Biennium: 2015-2017

Bill#: HB1002

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
<u>Base Budget Changes</u>						
One Time Budget Changes						
A-B 12 Supreme Court facility space expansion		0.00	1,107,227	0	0	1,107,227
A-B 13 IT - Juvenile Case Management System Replacemen		0.00	1,782,410	0	0	1,782,410
A-B 14 Criminal case eFiling initiation		0.00	99,000	0	0	99,000
A-B 7 IT - Disaster recovery		0.00	2,171,672	0	0	2,171,672
A-B 9 Equipment over \$5,000		0.00	1,384,000	0	0	1,384,000
A-E 1 Remove prior biennium one-time funding items		0.00	(324,850)	0	0	(324,850)
Total One Time Budget Changes		0.00	6,219,459	0	0	6,219,459
Ongoing Budget Changes						
A-A 10 Salaries and wages - Judicial Branch		0.00	266,762	0	0	266,762
A-A 11 Information Technology costs		0.00	413,070	0	0	413,070
A-A 3 Payments to contract counties		0.00	381,748	0	0	381,748
A-A 4 Miscellaneous Supreme Court adjustments		0.00	190,528	0	0	190,528
A-A 5 Miscellaneous District Court adjustments		0.00	658,926	(90,917)	0	568,009
A-A 6 Miscellaneous JCCDB adjustments		0.00	42,268	0	48,497	90,765
A-A 8 Juvenile Services		0.00	332,340	0	0	332,340
A-F 2 Remove prior biennium capital assets		0.00	(848,026)	0	0	(848,026)
Base Payroll Change		28.00	6,780,918	201,737	28,660	7,011,315
Total Ongoing Budget Changes		28.00	8,218,534	110,820	77,157	8,406,511
Total Base Budget Changes		28.00	14,437,993	110,820	77,157	14,625,970

BUDGET CHANGES NARRATIVE**180 Judicial Branch****Bill#: HB1002****Date:** 12/23/2014**Time:** 11:56:20

Change Group: A	Change Type: A	Change No: 3	Priority:
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Payments to contract counties

Increases in payments to contract counties for providing clerk of court services. Contract payments are based on weighted caseload staffing standards adopted by the Supreme Court. The total 2015-17 biennium budget for contract payments and other operating costs is \$5,219,621.

Change Group: A	Change Type: A	Change No: 4	Priority:
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Miscellaneous Supreme Court adjustments

Various miscellaneous increases and decreases for the Supreme Court.

Change Group: A	Change Type: A	Change No: 5	Priority:
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Miscellaneous District Court adjustments

Various miscellaneous increases and decreases for District Courts.

Change Group: A	Change Type: A	Change No: 6	Priority:
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Miscellaneous JCCDB adjustments

Various miscellaneous increases and decreases for the Judicial Conduct Commission and Disciplinary Board.

Change Group: A	Change Type: A	Change No: 8	Priority:
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Juvenile Services

Increases funding for Juvenile Court program services by \$332,340 primarily to provide additional intensive in-home family based and youth cultural achievement programs.

Change Group: A	Change Type: A	Change No: 10	Priority:
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Salaries and wages - Judicial Branch

Total salaries and wages includes \$1,353,129 for a five percent per year salary increase for Justices and Judges. The request includes the following new FTE positions and related operating costs for the new positions:

Positions	Location	Operating costs
2 Deputy Clerks of Court	Burleigh County	\$14,668
1 Deputy Clerk of Court	Stark County	\$7,334

BUDGET CHANGES NARRATIVE**180 Judicial Branch****Bill#: HB1002****Date:** 12/23/2014**Time:** 11:56:20

Positions	Location	Operating costs
2 Deputy Clerks of Court	Williams County	\$14,668
1 Deputy Clerks of Court	Ward County	\$7,334
1 Court Recorder	South Central Judicial District	\$7,334
1 Law Clerk	Northwest Judicial District	\$7,334
1 Paralegal	Citizen Access program	\$7,334
2 District Court Judges	South Central Judicial District	\$53,668
1 District Court Judge	Southwest Judicial District	\$26,834
1 District Court Judge	Northwest Judicial District	\$26,834
4 Court Reporters	Located with new Judges	\$29,336
3 Clerk of Court positions	Barnes County election pursuant to NDCC Section 27-05.2-02	\$8,502
6 Clerk of Court positions	McKenzie County election pursuant to NDCC Section 27-05.2-02	\$17,004
1 Accountant Analyst	Supreme Court administration	\$7,334
1 Guardian Monitoring Manager	Supreme Court Guardian Monitoring Program	\$31,244
Total		\$266,762

Pursuant to **NDCC Section 27-05.2-02**, Barnes and McKenzie Counties made an election to have their clerk of court staff become state employees. Based on the clerk workload assessment study, Barnes and McKenzie have a need for 9 clerk of court positions. The Court System is obligated to request authorization for these positions.

Change Group: A	Change Type: A	Change No: 11	Priority:
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Information Technology costs

Based on historical trends maintenance costs are anticipated to increase approximately 10-20 percent per year, which is reflected in the budget increase.

Change Group: A	Change Type: B	Change No: 7	Priority:
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IT - Disaster recovery

Implementation of a redundant information technology site for disaster recovery purposes.

Change Group: A	Change Type: B	Change No: 9	Priority:
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Equipment over \$5,000

BUDGET CHANGES NARRATIVE**180 Judicial Branch****Bill#: HB1002****Date:** 12/23/2014**Time:** 11:56:20

Equipment over \$5,000 includes funding for copy machines, steno machines, workstation systems and other office equipment necessary for operation of the courts. IT equipment over \$5,000 includes funding for court sound systems (\$68,900), ITV installations/upgrades (\$168,100), XIV disk and blade server upgrades (\$692,000), Cybernetics LTO5 backup systems (\$50,000) and evidence presentation equipment (\$44,000).

Change Group: A	Change Type: B	Change No: 12	Priority:
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Supreme Court facility space expansion

Renovation of a portion of the former Information Technology Department space within the Capitol for Supreme Court purposes.

Change Group: A	Change Type: B	Change No: 13	Priority:
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IT - Juvenile Case Management System Replacement

Replacement of existing Juvenile Case Management System.

Change Group: A	Change Type: B	Change No: 14	Priority:
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Criminal case eFiling initiation

The Criminal Justice Information Sharing (CJIS) criminal case eFiling initiation project will enable initial criminal filings to be exported systematically from the States Attorney's Justware system to the Court System's Odyssey system. This funding is dependent on CJIS being able to complete changes to their Justware system.

Change Group: A	Change Type: E	Change No: 1	Priority:
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Remove prior biennium one-time funding items

Removes 2011-13 biennium one-time funding for a juvenile case management information technology system replacement project study (\$90,000), disaster recovery planning (\$95,000) and Criminal Justice Information Sharing (CJIS) publisher project (\$139,850).

Change Group: A	Change Type: F	Change No: 2	Priority:
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Remove prior biennium capital assets

Removes 2013-15 biennium one-time funding for office equipment and IT equipment over \$5,000.